

TITLE 326 AIR POLLUTION CONTROL BOARD

LSA Document #99-265

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On April 12, 2001, the air pollution control board (board) conducted the first public hearing/board meeting concerning the development of amendments to 326 IAC 6-3. Comments were made by the following parties:

Barnes and Thornburg (Jim Hauck)	(BT)
General Electric Company	(GE)
Indiana Chamber of Commerce	(ICoC)
Monaco Coach Corporation	(MCC)

Following is a summary of the comments received and IDEM's responses thereto.

Comment: While the rule isn't perfect and there are still issues to be resolved, we do not object to preliminary adoption of the rule. (GE, ICoC)

Response: The department appreciates the support for preliminary adoption of this rule. The department is willing to work with any interested party to develop draft rule language with work practice and control technology standards for additional categories of process operations and solicits draft rule language to accomplish these goals.

Comment: The *de minimis* that is being established in the rule is too low. (MCC)

Response: The department believes that the *de minimis* thresholds established in the rule are at an appropriate level to eliminate those activities that do not have a significant environmental impact.

Comment: If there's an insignificant activity rule that sets particulate emissions at five pounds per hour, twenty-five pounds per day, why can't we have one number incorporate the insignificant activity? (MCC)

Comment: All insignificant activities that are listed in the current Title V rule should be incorporated into this rule. (MCC)

Response: The insignificant activities list in 326 IAC 2-7-1(21) is a threshold for activities that do not need to be specifically characterized in a major source's Title V permit application. This list was not established for emission control purposes nor does it create a presumption that emissions from

those activities are of no concern. There are, in fact, activities included in the insignificant activities list that could have emissions that will impact air quality. The department has reviewed the insignificant activities list and has exempted some from 326 IAC 6-3 and included others. While the list of insignificant activities in 326 IAC 2-7-1(21) is a good starting point for establishing a set of exempt activities in 326 IAC 6-3, there are categories of activities in the definition that, while appropriately exempt from inclusion in the Title V application, should not be exempt from the particulate controls established by 326 IAC 6-3. One example is conveyors at 326 IAC 2-7-1(21)(G)(x)(iv). Conveyors may be “insignificant” for purposes of Title V applications but they can have emissions that affect air quality in the area where they operate. Conveyors are appropriately subject to the emissions limits in 326 IAC 6-3.

Comment: A significant burden will be placed on industries in an effort to comply with this rule, with no commensurate environmental benefits. Reasonable work practices or *de minimis* levels need to be established for minor processes and record keeping is a significant time-consuming and expensive, burdensome task on insignificant sources. (ICoC)

Response: This rule is not intended to place new emission control requirements on any source that did not have them before, but rather to clarify the current rule language. Any substantive changes to the rule, in fact, should simplify compliance by: 1) exempting sources that are below the *de minimis* level; and 2) providing specific work practice standard requirements for specific industrial categories.

Comment: Exemptions or work practice standards should be written in for certain types of operations: welding, minor welding (that’s less than one ton of rod or wire per day), torch cutting activities, paint preparation (that includes the body-work activities), metal grinding, abrasive wheel cutting, fiberglass grinding activities, woodworking activities that are closed booth, dust unloading activities, and plastic grinding activities for recycling. (MCC)

Response: A number of the activities the commentor has listed are now exempt from the proposed rule. The department would welcome suggestions from any interested party on draft rule language for work practice and control technology standards in lieu of emission limits for additional categories of process operations.

Comment: Condition (2) in 326 IAC 6-3-2(d) should be modified to remove any reference to accumulations on the ground and be less strict as a visible emissions requirement. (MCC)

Response: The department disagrees. An accumulation of particulate emissions at the exhaust of an operation with a potential to emit particulate matter that is controlled by a dry particulate filter or an equivalent control device indicates that the control device is not operating properly and is therefore not complying with this rule.

Comment: The term “operation” as used in 326 IAC 6-3-2(d)(3) should be defined. (MCC)

Response: “Operation” as used in 326 IAC 6-3-2(d)(3) refers specifically to surface coating,

reinforced plastics composites fabricating, or graphic arts processes. “Process” is defined at 326 IAC 1-2-58.

Comment: We endorse the comments that will be made by IMA and some of the other industrials. (BT)

Response: Although the IMA did not comment on this rule at this hearing, the department acknowledges the commentor’s endorsement of comments made by the other companies.